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EXAMINER THERIAULT, STEVEN B				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/577,190

**Applicant(s)**

LIN-HENDEL, CATHERINE

**Examiner**

STEVEN B. THERIAULT

**Art Unit**

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 and 29-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22, 29-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### **DETAILED ACTION**

1. This action is responsive to the following communications: Amendments and Arguments filed 7/24/2009.

#### **This action is made Final.**

2. Claims 1-22, 29-54 are pending in the case. Claims 1, 2, 22, 29, 31, 42, 45, 50 and 51-52 are the independent claims. Claims 23-28 are cancelled. Claims 52-54 are new.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-22, 29-54 have been considered but are moot in view of the new ground(s) of rejection. In light of applicant's amendments to the claims, a new grounds of rejection has been presented in light of the teachings of Chang et al. By incorporating claim 25, into the independent claim applicant has created a new scope for the combination of independent and dependent claims therefore the amendment necessitates the final.

#### ***Claim Rejections - 35 USC § 101***

3. Applicants claims 30-51 now clearly recite a tie to another statutory class of invention and appear to comply with the Bilski test, therefore the previous rejection is now considered moot.

#### ***Claim Rejections - 35 USC § 103***

3. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103 that form the basis for the rejections under this section made in this Office action:**  
  
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said

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subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-22, 29-54 are rejected under 35 USC 103(a) as being unpatentable over Gennaro et al. (hereinafter Gennaro) U.S. Patent No. 5742768 issued Apr. 21, 1998, in view of Chang et al. (hereinafter Chang) U.S. Patent No. 6091415 filed Nov. 4, 1997.**

With regard to **Independent claim 1**, Gennaro teaches a system for navigating and browsing electronic media, comprising:

- *A device enabling viewing of digitally stored information, the device being configured to display at least portions of a categorization structure having a plurality of nested cascading category levels* (Gennaro figure 1 and figure 2b and column 3, lines 25-42 and 57-67). Gennaro teaches at least displaying **a portion of a structure** using a memory device capable of displaying an embedded menu within a webpage. The menu contains a structure categorized by function. Each function has one or more sub-categories of information as shown in figure 2b, therefore a structure can be browsed.
- *Each category level of the plurality of nested cascading category levels comprising a plurality of category titles of electronic media content stored on a storage device* (Gennaro column 4, lines 30-54 and column 5, lines 27-41 and column 6, lines 5-19) Gennaro teaches a menu with selections to access content on a memory device (See column 3, lines 25-41).
- *Each category title having a selectable link-token to the stored content for said each category title*, (Gennaro column 4, lines 42-53) Gennaro shows the links stored underneath the "who we are" option that direct the user to the related "corporate overview" site. The links shown have a stored URL location to a specific site related to the category of "who we are" therefore they are considered a link-token.

- *Each category title also being coupled to the category title's hidden nested subcategory structure of said each category title, the hidden nested sub-category structure of said category title comprising link tokens of category titles comprised in said each category title and the category titles in the different plurality of category levels able to be browsed independently of having to select and retrieve the stored content for any title from the storage device* (Gennaro figure 2b and column 4, lines 40-55) Gennaro shows under each title there is a hidden nested category structure. Under the "Global sites" link the user cannot see the links while they are viewing the "who we are" information but the information nonetheless is present. Gennaro expressly teaches allowing the user to scan the nested structure without linking to the web pages. The scanning is performed by allowing the user to position the pointer over each menu to display the underlying structure. Therefore, in figure 2b and 3b, the user can move the pointer from menu to menu and the system would display each category title independent of having to perform both select and retrieve from the storage device (See column 4, lines 60-67).
- Wherein the categorization structure enables a user viewing content from **any** category title in the categorization structure to retrieve content of any other category title in the categorization structure using a single retrieve command (See column 4, lines 40-67 and column 5, lines 25-43 and figure 4). Gennaro specifically teaches a process of allowing the user to move the mouse over the menu options, without retrieving a webpage, to view the different menu items. Gennaro allows the user to view any category from any other category with a simple mouse movement and when the user wants to access the given web page then they click on it, which is a single retrieval command. Gennaro suggests the embedding of a menu and the modification of the Java language to allow for multiple links to be tied to a single action in web page (see column 6, lines 20-40). Therefore, by providing access to multiple links, the user can browse any title in the structure by placing their pointer on the embedded menu. It is noted that the menu for the entire page is

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provided by a single applet. Additional applets may be provided once the user has clicked to retrieve a page .

Gennaro does not expressly recite:

- Displaying at least a portion of a structure for **substantially all of a website**

Gennaro teaches a system that allows the user to browse a category of menu items by placing the pointer over the menu. Gennaro shows in figure 3b, a plurality of nested links from a menu, which allows the user to scan the structure. Gennaro suggests the **technical advantage of browsing using embedded menus for the purposes of scanning content without linking**(See column 4, lines 54-67). Additionally, Gennaro suggests additional functions that applets provide within the browser window that can provide the **user with options within the window** that can provide a menu with selectable options to view substantially all of the pages structure. However, an example is not provided for this suggested option. Chang teaches a menu that allows the user to view substantially all of the website with a similar no selection technique. Chang teaches the user can move the mouse pointer over hyperlink selections and the user is presented with the hidden structure. The user can browse up, down, backwards and forward in the structure to view the titles from a category title (See figure 4a, 4b, 5a-d, 6a-6, 7a, 7b, 8). Figure 8 shows the user can browse and the database is only accessed initially to present the menu and after an actual selection. Chang teaches the display of menus (See column 1, lines 55-60). Chang teaches and shows the user can move from one level to the next while the structure is displayed to the user (See column 6, lines 64-67 and column 7, lines 1-67 and column 9, lines 65-67 and column 10, lines 1-20 and column 12, lines 10-55). Chang and Gennaro both teach a process of mouse over events to view a structure. They both teach the display of menus and providing the advantage of browsing without linking to reduce browse time and to make it easier for the user to get to the destination of choice while displaying the path or options to the user.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Gennaro with Chang to specifically teach that substantially all of a website structure can be displayed as plurality of nested categories. The motivation to combine Chang with Gennaro comes from the suggestion in Chang to eliminate the burden on the user of having to click a mouse button frequently to access items in a drop down menu (See column 1, lines 25-35). Moreover, Chang suggests modifying menu bars to which Gennaro discloses a menu bar (See Chang column 1, lines 25—67).

With respect to **dependent claim 2**, Gennaro teaches a system for tracking the navigation and browsing of electronic media, and facilitating the changing of navigation and browsing path, the system comprising a computer configured to display to a user pages of content within an inter-linked content structure having a textual table format comprising at least three category levels, and to enable the user to retrieve at will with one single click any desired content page within inter-linked content structure (Gennaro column 4, lines 30-54 and column 5, lines 27-41 and column 6, lines 5-19). Gennaro expressly teaches allowing the user to browse through the content that is interlinked with at least three levels and retrieve the information with a single click. The information shown is text and tabular. In the alternative, Chang teaches a textual table format (See Figure 5a and 7a). The motivation to combine Chang with Gennaro comes from the suggestion in Chang to eliminate the burden on the user of having to click a mouse button frequently to access items in a drop down menu (See column 1, lines 25-35). Moreover, Chang suggests modifying menu bars to which Gennaro discloses a menu bar (See Chang column 1, lines 25—67) and can display the information as a table.

With respect to **dependent claim 3**, Gennaro teaches the *system wherein link tokens of one or more category titles in a first category level of the plurality of nested cascading category levels are*

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*displayed for viewing on a display device in response to placing a cursor on a starting symbol representing a gateway to viewing the categorization structure displayed on the display device, without clicking (Gennaro column 4, lines 30-54 and column 5, lines 27-41 and column 6, lines 5-19).* Gennaro expressly teaches moving the mouse over the embedded menu, which displays the hidden information below the level. The symbol is the hot spots 44 that are shown in figure 2b as highlighted when selected. The user does not have to click to see the menu, as shown in 2b (See also figure 4). In the alternative, the links of Chang teach a headword to access content related to the word. By placing the cursor over the word the structure is displayed beneath it (See figure 4a, 5a and 7b). The motivation to combine Chang with Gennaro comes from the suggestion in Chang to eliminate the burden on the user of having to click a mouse button frequently to access items in a drop down menu (See column 1, lines 25-35). Moreover, Chang suggests modifying menu bars to which Gennaro discloses a menu bar (See Chang column 1, lines 25—67).

With respect to **dependent claim 4**, Gennaro teaches the system, wherein the link-tokens of one or more category titles in the first category level are displayed on the display device underneath the starting text-string or a symbol representing the gateway to viewing the categorization structure (Gennaro figure 2b).

With respect to **dependent claim 5**, Gennaro teaches the system wherein placing the cursor on one link-token of the link-tokens of one or more category titles in the first category level causes the title to be highlighted and causes a second category level having a second plurality of titles to be displayed alongside the first category level, the plurality of titles in the second category level being sub-categories of the category title highlighted in the first category level (Gennaro column 4, lines 30-55 and figure 2b). Gennaro shows the link as highlighted and the menu displayed as a second level 48.

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With respect to **dependent claim 6**, Gennaro teaches the *system wherein the titles in the first category level are displayed in a first listing-area with the titles listed one under the other* (Gennaro figure 2b). Gennaro shows the titles displayed in area 40, one under the other 44.

With respect to **dependent claim 7**, Gennaro teaches the *system wherein the titles in the second category level are displayed in a second listing-area with the titles listed one under the other* (Gennaro figure 2b, 42, 46, 48).

With respect to **dependent claim 8**, Gennaro teaches the *system, wherein placing the cursor on one of the category titles displayed in the second category level causes said title to be highlighted and causes a third category level having a third plurality of category titles to be displayed alongside the second category level, the plurality of titles in the third category level being sub-categories of the highlighted title displayed in the second category level* (Gennaro figure 2b and column 4, lines 30-67). Gennaro shows and teaches a first, second or multiple levels can be displayed. Gennaro shows the selected item as highlighted 42. In the alternative, Gennaro suggests that multiple levels can be displayed but shows a first and a second level. Chang teaches showing any number of levels under a given link can be shown (Finseth figures 4a, 5a, 7a etc and column 10, lines 1-20). The motivation to combine Chang with Gennaro comes from the suggestion in Chang to eliminate the burden on the user of having to click a mouse button frequently to access items in a drop down menu (See column 1, lines 25-35). Moreover, Chang suggests modifying menu bars to which Gennaro discloses a menu bar (See Chang column 1, lines 25—67).

With respect to **dependent claims 9-10**, as indicated above Gennaro teaches every limitation of claim 1.

Gennaro does not expressly teach the *system wherein the system has a selectable number of category levels* (Finseth column 10, lines 9-30). However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Chang, because Chang allows

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the user to customize the presentation of search information displayed within the window. Chang teaches showing any number of levels under a given link can be shown (Finseth figures 4a, 5a, 7a etc and column 10, lines 1-20). The motivation to combine Chang with Gennaro comes from the suggestion in Chang to eliminate the burden on the user of having to click a mouse button frequently to access items in a drop down menu (See column 1, lines 25-35). Moreover, Chang suggests modifying menu bars to which Gennaro discloses a menu bar (See Chang column 1, lines 25—67).

With respect to **dependent claim 11**, Gennaro teaches the *system, wherein the system is implemented using software* (column 3, lines 20-57).

With respect to **dependent claims 12 and 13**, Gennaro teaches the system wherein when the cursor is moved from a category level having a plurality of category titles which are sub-categories of a title in a higher category level, the category level with the plurality of sub-category titles and all subsequent category levels cease to be displayed on the display device (column 6, lines 5-20 and figure 4).

With respect to **dependent claim 14**, Gennaro teaches the *system wherein a browser can browse the categorization structure independently of any media content displayed on the display device*. ((Column 4, lines 54-67 and column 5, lines 1-20).

With respect to **dependent claim 15**, Gennaro teaches the *system wherein a browser can navigate and browse the different category titles in the different category levels of the categorization structure without having to select and retrieve a page of media content from the storage device and without having to navigate back and forth between different pages of media content* (column 4, lines 54-67 and column 5, lines 1-20).

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With respect to **dependent claim 16**, Gennaro teaches the system wherein the categorization structure resides with the pages of media content but is not displayed on the display device with the media content until a browser places the cursor on the starting symbol (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b).

With respect to **dependent claim 17**, Gennaro teaches the system wherein the media content are the pages of a web site (figure 2a and 2b and column 3, lines 42-63).

With respect to **dependent claim 18**, Gennaro teaches the system wherein a browser can navigate and browse the different category titles in the different category levels of the categorization structure without having to down load a web page from the storage device and without having to navigate back and forth between different web pages (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b).

With respect to **dependent claim 19**, Gennaro teaches the system wherein the categorization structure resides with the web pages but is not displayed on the display device with the web pages until a browser places the cursor on the starting symbol (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b and column 3, lines 40-67).

With respect to **dependent claim 20**, Gennaro teaches the system wherein a browser can navigate back and forth between a category title in a first category level and a category title in a second category level of the categorization tree structure (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b and column 5, lines 25-40 ).

With respect to **dependent claim 21**, Gennaro teaches the system wherein a browser can move from a first or any category title in a particular level to any other title in the same level of the categorization tree structure (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b).

In regard to **Independent claim 22**, Gennaro teaches a system for navigating and browsing electronic media, comprising:

- A device enabling viewing of digitally stored information, the device being configured to display at least portions of a categorization tree structure having a plurality of cascading

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*category lists*(Gennaro figure 1 and figure 2b and column 3, lines 25-42 and 57-67).

Gennaro teaches at least displaying a portion of a structure using a memory device capable of displaying an embedded menu within a webpage. The menu contains a structure categorized by function. Each function has one or more sub-categories of information as shown in figure 2b, therefore a structure can be browsed.

- *Each category list of the plurality of nested cascading category lists comprising a plurality of category titles of electronic media content stored on a storage device* (Gennaro column 4, lines 30-54 and column 5, lines 27-41 and column 6, lines 5-19) Gennaro teaches a menu with selections to access content on a memory device (See column 3, lines 25-41).
- *Each category title having a selectable link-token to the stored content for said each category title*, (Gennaro column 4, lines 42-53) Gennaro shows the links stored underneath the "who we are" option that direct the user to the related "corporate overview" site. The links shown have a stored URL location to a specific site related to the category of "who we are" therefore they are considered a link-token.
- *Wherein the device is configured to display one or more link-tokens stored content file for said each category title in response to placement of a cursor on the selectable link-token of said category title without clicking on or invocation of the selectable link-token of said category title*, whereby the system enables the category titles in the different plurality of category, lists to be browsed independently of selecting and retrieving stored content files for any title from the at least one storage device (Gennaro figure 2b and column 4, lines 40-55) Gennaro shows under each title there is a hidden nested category structure. Under the "Global sites" link the user cannot see the links while they are viewing the "who we are" information but the information nonetheless is present. Genarro expressly teaches allowing the user to scan the nested structure without linking to the web pages. The scanning is performed by allowing the user to position the pointer over each menu to display the underlying structure. Therefore, in figure 2b and 3b, the user can move the pointer from menu to menu and the system would display each category

title independent of having to perform both select and retrieve from the storage device (See column 4, lines 60-67).

- Wherein the categorization structure enables a user viewing content from **any** category title in the categorization structure to retrieve content of any other category title in the categorization structure using a single retrieve command (See column 4, lines 40-67 and column 5, lines 25-43 and figure 4). Gennaro specifically teaches a process of allowing the user to move the mouse over the menu options, without retrieving a webpage, to view the different menu items. Gennaro allows the user to view any category from any other category with a simple mouse movement and when the user wants to access the given web page then they click on it, which is a single retrieval command. Gennaro suggests the embedding of a menu and the modification of the Java language to allow for multiple links to be tied to a single action in web page (see column 6, lines 20-40). Therefore, by providing access to multiple links, the user can browse any title in the structure by placing their pointer on the embedded menu. It is noted that the menu for the entire page is provided by a single applet. Additional applets may be provided once the user has clicked to retrieve a page .

Gennaro does not expressly recite:

- Displaying at least a portion of a structure for **substantially all of a website**

Gennaro teaches a system that allows the user to browser a category of menu items by placing the pointer over the menu. Gennaro shows in figure 3b, a plurality of nested links from a menu, which allows the user to scan the structure. Gennaro suggests the **technical advantage of browsing using embedded menus for the purposes of scanning content without linking**(See column 4, lines 54-67). Additionally, Gennaro suggests additional functions that applets provide within the browser window that can provide the **user with options within the window** that can provide a menu

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with selectable options to view substantially all of the pages structure. However, an example is not provided for this suggested option. Chang teaches a menu that allows the user to view substantially all of the website with a similar no selection technique. Chang teaches the user can move the mouse pointer over hyperlink selections and the user is presented with the hidden structure. The user can browse up, down, backwards and forward in the structure to view the titles from a category title (See figure 4a, 4b, 5a-d, 6a-6, 7a, 7b, 8). Figure 8 shows the user can browse and the database is only accessed initially to present the menu and after an actual selection. Chang teaches the display of menus (See column 1, lines 55-60). Chang teaches and shows the user can move from one level to the next while the structure is displayed to the user (See column 6, lines 64-67 and column 7, lines 1-67 and column 9, lines 65-67 and column 10, lines 1-20 and column 12, lines 10-55). Chang and Gennaro both teach a process of mouse over events to view a structure. They both teach the display of menus and providing the advantage of browsing without linking to reduce browse time and to make it easier for the user to get to the destination of choice while displaying the path or options to the user.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Gennaro with Chang to specifically teach that substantially all of a website structure can be displayed as plurality of nested categories. The motivation to combine Chang with Gennaro comes from the suggestion in Chang to eliminate the burden on the user of having to click a mouse button frequently to access items in a drop down menu (See column 1, lines 25-35). Moreover, Chang suggests modifying menu bars to which Gennaro discloses a menu bar (See Chang column 1, lines 25—67).

In regard to **Independent claim 29**, claim 29 incorporates substantially similar subject matter and claim 1, and in further view of the following, is rejected along the same rationale. Gennaro in view of Chang teaches a starting symbol (See figure 2b, 44, hotspots with a specific round symbol). Gennaro

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in view Chang shows a portion of the structure is displayed when the cursor moves over it (see column 4, lines 40-67). The user can with a single click return to any previous web page by moving the mouse over the menu and navigate to another of the linked pages because the windows of Gennaro implement a framed window with the menu displayed across the top when the desired URL is clicked allowing for the embedded menu to remain displayed to the user (See column 6, lines 20-34).

With respect to **dependent claim 30**, Gennaro teaches the structure is hidden from view and a subcategory structure is not displayed until a cursor rolls over a respective category title (See column 4, lines 40-67 and column 5, lines 25-43 and figure 2a-2b, 3a, 3b and 4).

In regard to **claims 31- 50**, claims 31-49, reflect substantially similar subject matter for performing the operations in system claims 1-21 by reciting the user interface used by the system of claims 1-21, respectively. Claims 31-50 are rejected, in further view of the following, along the same incorporated rationale of claims 1-21.

Gennaro teaches a cursor controlled by the user (See figure 2b) and the primary region 40 is responsive to navigation by the mouse (See figure 2a and 2b and column 4, lines 40-67). Second categories are displayed once the mouse is over a link (See figure 2b, 48). The content display region is shown once the user selects a link (see column 5, lines 50-67 and column 6, lines 5-35). Gennaro shows a tracking string that represents the path of the selection, where the location field provides a dual function of displaying the URL of the current location of the mouse along with the status bar (See column 4, lines 1-15). The tracking string is one displayed as the user rolls the mouse over the menu. The tracking string is displayed within the content display region and the pages are websites. The regions cease to be displayed when the cursor is moved from the menu (See column 3, lines 40-67 and column 4, lines 40-67). The links are displayed with a halo and highlighted as compared to the other links to indicate selection to the user when they roll over the menus (See figure 2b and column 4, lines 30—54). The symbol to enter the gateway is shown in figure 2b, 44. The subcategory menus

are URL locations and consistent with the operation of displaying the first level tracking string the second and subsequent level strings are displayed in the location bar and the status bar and only displayed in response to movement by the cursor.

Gennaro does not expressly recite:

- Displaying at least a portion of a structure for **substantially all of a website and deselecting the link by moving the cursor**

Gennaro teaches a system that allows the user to browser a category of menu items by placing the pointer over the menu. Gennaro shows in figure 3b, a plurality of nested links from a menu, which allows the user to scan the structure. Gennaro suggests the **technical advantage of browsing using embedded menus for the purposes of scanning content without linking**(See column 4, lines 54-67). Additionally, Gennaro suggests additional functions that applets provide within the browser window that can provide the **user with options within the window** that can provide a menu with selectable options to view substantially all of the pages structure. However, an example is not provided for this suggested option. Chang teaches a menu that allows the user to view substantially all of the website with a similar no selection technique. Chang teaches the user can move the mouse pointer over hyperlink selections and the user is presented with the hidden structure. The user can browse up, down, backwards and forward in the structure to view the titles from a category title (See figure 4a, 4b, 5a-d, 6a-6, 7a, 7b, 8) and deselect by moving backward. Figure 8 shows the user can browse and the database is only accessed initially to present the menu and after an actual selection. Chang teaches the display of menus (See column 1, lines 55-60). Chang teaches and shows the user can move from one level to the next while the structure is displayed to the user (See column 6, lines 64-67 and column 7, lines 1-67 and column 9, lines 65-67 and column 10, lines 1-20 and column 12, lines 10-55). Chang and Gennaro both teach a process of mouse over events to view a structure. They both teach the display of menus and providing the advantage of browsing without linking to

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reduce browse time and to make it easier for the user to get to the destination of choice while displaying the path or options to the user.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Gennaro with Chang to specifically teach that substantially all of a website structure can be displayed as plurality of nested categories. The motivation to combine Chang with Gennaro comes from the suggestion in Chang to eliminate the burden on the user of having to click a mouse button frequently to access items in a drop down menu (See column 1, lines 25-35). Moreover, Chang suggests modifying menu bars to which Gennaro discloses a menu bar (See Chang column 1, lines 25—67).

In regard to **claim 51**, claims 51, reflects the method comprising computer readable instructions for performing the operations in system claim 1 and is rejected along the same rationale.

In regard to claims 52-54, reflects substantially the same subject matter as claim 1 and 31, respectively and in further view of the following are rejected along the same rationale.

Gennaro does not expressly recite:

- Displaying at least a portion of a structure for **substantially all of a website and deselecting the link by moving the cursor**

Gennaro teaches a system that allows the user to browser a category of menu items by placing the pointer over the menu. Gennaro shows in figure 3b, a plurality of nested links from a menu, which allows the user to scan the structure. Gennaro suggests the **technical advantage of browsing using embedded menus for the purposes of scanning content without linking**(See column 4,

lines 54-67). Additionally, Gennaro suggests additional functions that applets provide within the browser window that can provide the **user with options within the window** that can provide a menu with selectable options to view substantially all of the pages structure. However, an example is not provided for this suggested option. Chang teaches a menu that allows the user to view substantially all of the website with a similar no selection technique. Chang teaches the user can move the mouse pointer over hyperlink selections and the user is presented with the hidden structure. The user can browse up, down, backwards and forward in the structure to view the titles from a category title (See figure 4a, 4b, 5a-d, 6a-6, 7a, 7b, 8) and deselect by moving backward. Figure 8 shows the user can browse and the database is only accessed initially to present the menu and after an actual selection. Chang teaches the display of menus (See column 1, lines 55-60). Chang teaches and shows the user can move from one level to the next while the structure is displayed to the user (See column 6, lines 64-67 and column 7, lines 1-67 and column 9, lines 65-67 and column 10, lines 1-20 and column 12, lines 10-55). Chang and Gennaro both teach a process of mouse over events to view a structure. They both teach the display of menus and providing the advantage of browsing without linking to reduce browse time and to make it easier for the user to get to the destination of choice while displaying the path or options to the user.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Gennaro with Chang to specifically teach that substantially all of a website structure can be displayed as plurality of nested categories. The motivation to combine Chang with Gennaro comes from the suggestion in Chang to eliminate the burden on the user of having to click a mouse button frequently to access items in a drop down menu (See column 1, lines 25-35). Moreover, Chang suggests modifying menu bars to which Gennaro discloses a menu bar (See Chang column 1, lines 25—67).

A reference to specific paragraphs, columns, pages, or figures in a cited prior art reference is not limited to preferred embodiments or any specific examples. It is well settled that a prior art reference, in its entirety, must be considered for all that it expressly teaches and fairly suggests to one having ordinary skill in the art. Stated differently, a prior art disclosure reading on a limitation of Applicant's claim cannot be ignored on the ground that other embodiments disclosed were instead cited. Therefore, the Examiner's citation to a specific portion of a single prior art reference is not intended to exclusively dictate, but rather, to demonstrate an exemplary disclosure commensurate with the specific limitations being addressed. *In re Heck*, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting *In re Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)). *In re: Upsher-Smith Labs. v. Pamlab, LLC*, 412 F.3d 1319, 1323, 75 USPQ2d 1213, 1215 (Fed. Cir. 2005); *In re Fritch*, 972 F.2d 1260, 1264, 23 USPQ2d 1780, 1782 (Fed. Cir. 1992); *Merck & Co. v. Biocraft Labs., Inc.*, 874 F.2d 804, 807, 10 USPQ2d 1843, 1846 (Fed. Cir. 1989); *In re Fracalossi*, 681 F.2d 792, 794 n.1, 215 USPQ 569, 570 n.1 (CCPA 1982); *In re Lamberti*, 545 F.2d 747, 750, 192 USPQ 278, 280 (CCPA 1976); *In re Bozek*, 416 F.2d 1385, 1390, 163 USPQ 545, 549 (CCPA 1969).

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN B. THERIAULT whose telephone number is (571)272-5867. The examiner can normally be reached on Mon.-Fri. 10 am - 7 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven B Theriault/  
Primary Examiner  
Art Unit 2179